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Attorney Docket: TOPP-P2-US

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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

IN RE APPLICANT : Daniel P. Topp  
TITLE : COMBUSTION SYSTEM FOR A HEATER  
APPLICATION NO. : 09/852,445  
FILING DATE : May 9, 2001  
EXAMINER : Kathryn Odland  
ART UNIT : 3743

**RECEIVED**

SEP 07 2003

TECHNOLOGY CENTER R3700

\* \* \* \* \*

**CERTIFICATE OF MAILING**

I hereby certify that this communication, along with any paper or fee indicated as being enclosed, are being deposited with the United States Postal Service as first-class mail, postage prepaid, in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date indicated below.

*30 AUGUST 2004*

Date

*Mark A. Garzia*

**TRANSMITTAL LETTER ACCOMPANYING REPLY AND AMENDMENT**

Dear Sirs:

Transmitted herewith is a Reply to Office Action and Amendment Under 37 C.F.R. § 1.111 (17 pgs.) in the above-captioned application.

- [XX] Small entity status of this application pursuant to 37 C.F.R. § 1.27 has been established.
- [ ] It is believed that no extension of term is required. However, this conditional petition is being made to provide for the possibility that Applicant has inadvertently overlooked the need for a Petition for Extension of Time under 37 C.F.R. §1.136(a).
- [XX] Applicant petitions for an Extension of Time under 37 C.F.R. §1.136 [fees: 37 C.F.R. §1.17(a) - (d)] for the total number of month(s) checked below:

<u>Extension Months(s)</u>	<u>Fee For Other Than Small Entity</u>	<u>Fee For Small Entity</u>
[ ] 1 Month	\$110.00	\$ 55.00
<b>[XX] 2 Months</b>	<b>\$420.00</b>	<b>\$210.00</b>
[ ] 3 Months	\$950.00	\$475.00
[ ] 4 Months	\$1480.00	\$740.00
[ ] 5 Months	\$2010.00	\$1005.00

- [ ] A Terminal Disclaimer Pursuant to 37 C.F.R. § 1.321(b) and (c) is enclosed.
- [ ] An Assignment ( pgs.) is enclosed.
- [ ] Assignment Cover Sheet (1 pg.)
- [ ] An Information Disclosure Statement Pursuant to 37 C.F.R. §§1.56, 1.97 and 1.98 ( pgs.) is enclosed.
- [ ] Form PTO-1449.
- [ ] References
- [XX] A postage-prepaid, self-addressed postcard to acknowledge receipt of this communication is enclosed.
- [XX] Fee Transmittal for FY 2004 is enclosed (1 pg.)
- [ ] Other enclosed documents:
- [ ] New Abstract numbered Page \_\_\_\_ of \_\_\_\_ (1 pg.).

[ ] Figures marked in red (1 pgs.).

**EXTRA CLAIM FEES FOR UTILITY AND REISSUE**

	Extra Claims	Fee	Fee Paid
Total Claims	[ 21 ] - 20* = [ 1 ] x	[\$9] =	\$ 9

Independent Claims	[ 2 ] - 3* = [ 0 ] x	[\$43] =	\$ 0
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Multiple Dependent		[\$145] =	\$ 0
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\*claim number previously paid for

[ ] No additional claim fee is required.

[XX] Payment is made by:

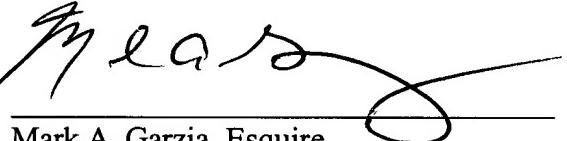
[ ] Check No. \_\_\_\_\_ in the amount of \$\_\_\_\_\_ to cover the fee is enclosed.

**[XX] Credit Card Payment Form PTO-2038 in the amount of \$219.00 is  
enclosed to cover the fee for the Petition for a Two-Month Extension  
of Time and one extra claim fee.**

Respectfully submitted,

30 AUGUST 2004

Date

  
Mark A. Garzia, Esquire  
Registration No. 35,517

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JULY 1 2004  
PATT.

# FEE TRANSMITTAL for FY 2004

Effective 10/01/2003. Patent fees are subject to annual revision.

 Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$ 219.)

Complete if Known

RECEIVED

Application Number	09/852,445
Filing Date	May 9, 2001
First Named Inventor	TOPP, Daniel P.
Examiner Name	Kathryn Odland
Art Unit	3743
Attorney Docket No.	TOPP-P2-US

SEP 07 2001

TECHNOLOGY CENTER R3700

## METHOD OF PAYMENT (check all that apply)

Check  Credit card  Money Order  Other  None

 Deposit Account:

Deposit Account Number	
Deposit Account Name	

The Director is authorized to: (check all that apply)

- Charge fee(s) indicated below  Credit any overpayments  
 Charge any additional fee(s) or any underpayment of fee(s)  
 Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

## FEE CALCULATION

## 1. BASIC FILING FEE

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
1001 770	2001 385	Utility filing fee	
1002 340	2002 170	Design filing fee	
1003 530	2003 265	Plant filing fee	
1004 770	2004 385	Reissue filing fee	
1005 160	2005 80	Provisional filing fee	
SUBTOTAL (1)		(\$ 0)	

## 2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims	Independent Claims	Multiple Dependent	Extra Claims	Fee from below	Fee Paid
21	-20** = 1		X 0	= 9	
2	-3** = 0		X 0	= 0	
					= 0

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description
1202 18	2202 9	Claims in excess of 20
1201 86	2201 43	Independent claims in excess of 3
1203 290	2203 145	Multiple dependent claim, if not paid
1204 86	2204 43	** Reissue independent claims over original patent
1205 18	2205 9	** Reissue claims in excess of 20 and over original patent
SUBTOTAL (2)		(\$ 9)

\*\*or number previously paid, if greater; For Reissues, see above

## 3. ADDITIONAL FEES

Large Entity | Small Entity

Fee Code (\$)	Fee (\$)	Fee Code (\$)	Fee (\$)	Fee Description	Fee Paid
1051	130	2051	65	Surcharge - late filing fee or oath	
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet	
1053	130	1053	130	Non-English specification	
1812	2,520	1812	2,520	For filing a request for ex parte reexamination	
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action	
1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action	
1251	110	2251	55	Extension for reply within first month	210
1252	420	2252	210	Extension for reply within second month	
1253	950	2253	475	Extension for reply within third month	
1254	1,480	2254	740	Extension for reply within fourth month	
1255	2,010	2255	1,005	Extension for reply within fifth month	
1401	330	2401	165	Notice of Appeal	
1402	330	2402	165	Filing a brief in support of an appeal	
1403	290	2403	145	Request for oral hearing	
1451	1,510	1451	1,510	Petition to institute a public use proceeding	
1452	110	2452	55	Petition to revive - unavoidable	
1453	1,330	2453	665	Petition to revive - unintentional	
1501	1,330	2501	665	Utility issue fee (or reissue)	
1502	480	2502	240	Design issue fee	
1503	640	2503	320	Plant issue fee	
1460	130	1460	130	Petitions to the Commissioner	
1807	50	1807	50	Processing fee under 37 CFR 1.17(q)	
1806	180	1806	180	Submission of Information Disclosure Stmt	
8021	40	8021	40	Recording each patent assignment per property (times number of properties)	
1809	770	2809	385	Filing a submission after final rejection (37 CFR 1.129(a))	
1810	770	2810	385	For each additional invention to be examined (37 CFR 1.129(b))	
1801	770	2801	385	Request for Continued Examination (RCE)	
1802	900	1802	900	Request for expedited examination of a design application	

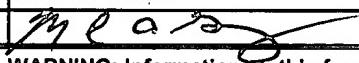
Other fee (specify) \_\_\_\_\_

\*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$ 210)

## SUBMITTED BY

(Complete if applicable)

Name (Print/Type)	Mark A. Garzia	Registration No. (Attorney/Agent)	35,517	Telephone	610.485.9400
Signature					
Date	Aug. 30, 2004				

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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